

Town Board Minutes

February 1, 2016

Meeting No. 3

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 1st day of February 2016 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
MARK LUBERA, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matters:

- Asked about Pleasant Meadows Central Square Private Improvement Permit.
- Commented on Town Board Members attendance at Village of Depew Board meetings.

Chowaniec, Lee, spoke to the Town Board on the following matter:

- Asked about Code Enforcement Officer appointments.

Czuprynski, Mike, spoke to the Town Board on the following matter:

- Comments regarding enforcing Town Code.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Question regarding Millgrove Volunteer Fire Department bonding approval.
- Asked about the use of a Rotadairon compact soil renovator.
- Asked about John W. Danforth Company service agreement.
- Questioned Daniel Drive easement.
- Questioned Town Clerk's Office adding extra hours of business.
- Asked about Code Enforcement Officer appointment.
- Comments about enforcing Town Code.

Johnson, Jamie, spoke to the Town Board on the following matters:

- Appreciates the Town Board looking into longbow hunting near Trentwood Trail.
- Asked about the print date of Department of Environmental Conservation maps.

Kaufman, Tom, spoke to the Town Board on the following matter:

- Commented about a non-functioning street light on Genesee Street.

Maddock, Frank, spoke to the Town Board on the following matter:

- Reported results of an online petition to remedy the poor condition of Como Park.

Smith, Robert, spoke to the Town Board on the following matter:

- Concerns regarding garbage and recycling pickup.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: Amend V & T Ordinance, Parking, Standing and Stopping

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER WALTER AND CARRIED, the public hearing was opened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon an amendment to the V & T Ordinance, Parking, Standing, and Stopping, Deer Cross Subdivision matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Henry Levan	Opponent
Scott Kantorski	Opponent
Carl Anderson Jr.	Opponent
Eric Walters	Opponent
Paul Nosbisch, Jr.	Comments

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:52 P.M.

Decision on this matter was reserved.

February 1, 2016

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held January 19, 2016 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 42947 to Claim No. 43082 Inclusive

Total amount hereby authorized to be paid: \$1,445,947.64

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016
File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
24890		George Meldrum	29 Country Pl	Er. Shed	
24891		William C. Rott	75 Christen Ct	Re-Roof	(V/L)
24892		Steven Buscaglia	17 Ann Marie Dr	Er. Deck	
24893		Pleasant Meadows Assoc. LLC	4 Magrum Ln	Er. Dwlg.-Sin.	
24894		The Kaz Company	25 Quail Hollow	Er. Res. Add.	
24895		Marrano/Marc Equity Corp.	32 Magrum Ln	Er. Dwlg.-Sin.	
24896		David Homes	53 Tranquility Trl	Er. Dwlg.-Sin.	
24897		DV Brown & Associates Inc.	6681 Transit Rd	Er. Comm. Add./Alt.	
24898		Ivy Lea Construction Inc.	2219 Como Park Blvd	Re-Roof	(V/L)
24899		United Church Home Soc Inc.	5522 Broadway	Inst. Generator	(V/L)
24900		Charles & Diane Weigel	5320 Broadway	Er. Fence	(V/L)
24901		Chace Galvan	505 Central Ave	Re-Roof	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Twin District Volunteer Fire Company, Inc., by letter
dated January 16, 2016, has requested the addition of the following members to the roster of
said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirm
the additions to the membership of the Twin District Volunteer Fire Company the following
individuals:

ADDITIONS:

Ian McCombs	Jacob Doyle
Lancaster, New York 14086	Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 40 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 16th day of February, 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published pursuant to Town Law in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE &
TRAFFIC ORDINANCE TOWN OF LANCASTER,
COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 1st day of February, 2016, the said Town Board will hold a Public Hearing on the 16th day of February, 2016, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

ARTICLE IX - Speed Regulations

§46-9. Maximum Speed Limits.

F. A speed limit of 40 miles per hour shall be posted on the following designated highways:

.....

(7) Gunnville Road, for northbound and southbound traffic between Genesee Street and the Clarence Town line.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: DIANE M. TERRANOVA
Town Clerk**

February 4, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

A RESOLUTION FOR CERTAIN DETERMINATION IN RELATION TO THE PETITION OF THE MILLGROVE VOLUNTEER FIRE DEPARTMENT, INC., FOR THE CONSENT OF THE TOWN BOARD OF THE TOWN OF LANCASTER OF AN OBLIGATION TO FINANCE THE PURCHASE OF ONE (1) 2004 PIERCE LADDER TRUCK.

WHEREAS, the Millgrove Volunteer Fire Department, Inc., is a qualified fire department with respect to an area within the jurisdiction of this Town as such term is defined by 26 USCS Sec. 150 (e) (2), the same being organized and operated to provided firefighting or emergency medical services for persons within the Fire Protection District of the Towns of Alden and Lancaster, New York, and

WHEREAS, the Millgrove Volunteer Fire Department, Inc., has contracted for the purchase of ONE (1) 2004 PIERCE LADDER TRUCK, to be garaged at 11621 Genesee Street, Alden, New York and to be utilized for firefighting or emergency services for persons within the jurisdiction of the Town of Lancaster, and

WHEREAS, the proposed method of financing a portion of the cost of said acquisition consists of the issuance of obligations of said Millgrove Volunteer Fire Department, Inc., to Alden State Bank, to be paid from receipts of the department sufficient to pay the principal of and interest of said obligations as the same become due and payable, in the manner provided by law; and

WHEREAS, the maximum amount of obligations to be issued by Millgrove Volunteer Fire Department, Inc., with respect to said acquisition is estimated to be \$350,000.00, and

WHEREAS, it is the desire of the Millgrove Volunteer Fire Department, Inc., to have such obligation treated as a bond of a political subdivision of a state pursuant to the provisions 26 USCS Sec. 150 (e), and

WHEREAS, it is necessary, in compliance with 26 USCS Sec. 147 (f) to obtain the approval of the elected legislative body of this town after a public hearing following the reasonable public notice for said action; and

WHEREAS, the public hearing and the subsequent approval by the Millgrove Volunteer Fire Department, Inc., of the borrowing and issuance of the obligation are prerequisites to exemption from income taxation of the interest payable under the terms of such obligation, pursuant to Section 103 and related sections of and regulations under, the Internal Revenue Code;

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing to consider the petition of the Millgrove Volunteer Fire Department, Inc., for the consent of the Town Board of the Town of Lancaster of the proposed issuance by the Millgrove Volunteer Fire Department, Inc., of an obligation to Alden State Bank, for the purchase of ONE (1) 2004 PIERCE LADDER, in the maximum principal amount of \$350,000.00, shall be held at the Town Hall, 21 Central Avenue, Lancaster, New York on the 16th day of February, 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the official newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to a resolution of the Town Board of the Town of Lancaster adopted the 1st day of February, 2016, the Lancaster Town Board will hold a Public Hearing on the 16th day of February, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested parties regarding the proposed borrowing by the Millgrove Volunteer Fire Department, Inc., to finance the purchase of One (1) 2004 Pierce Ladder to be owned by Millgrove Volunteer Fire Department, Inc., and the proposed issuance of an obligation to Alden State Bank for an amount not to exceed \$350,000.00.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: DIANE M. TERRANOVA
Town Clerk**

February 4, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated January 21, 2016, has requested the appointment of the following individuals as members of the Town of Lancaster Youth Board for the period of January 1, 2016 to December 31, 2017:

- John Parker, Chairman
- Keith Kerl, Vice-Chairman
- Brian Cornell
- Korissa Gozdziaak (new member)
- Suzanne Jacobs
- Steven Kolbert (new member)
- Rev. Tom LeBeau
- Alexander Loewer (new member)
- Joseph Maciejewski
- Cesar Marchioli
- Anthony Marrano
- Daniel Paveljack
- Jill Santoro
- Rev. Richard Scheer
- Claire Schlum
- Steven Smith
- Rev. Paul Steller
- Debra Skok Watson
- Christopher Wild

NOW, THEREFORE, BE IT

RESOLVED, that the above named individuals be and are hereby appointed as members of the Town of Lancaster Youth Board for the term of January 1, 2016 through December 31, 2017.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated January 26, 2016 has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) at the Youth Bureau, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kelly Gram (rehire) Lancaster, NY	Tutor	\$15.00	February 1, 2016

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Town of Lancaster’s Park Crew Chief, Mark Lubera, of the Department of Parks, Recreation and Forestry of the Town of Lancaster by letter dated January 21, 2016 has requested the purchase of **one (1) new and unused Rotadairon 51” Compact Soil Renovator** for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the above-referenced Compact Soil Renovator is available from Specialized Turf Equipment Company, a sole source provider, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of one (1) new and unused Rotadairon 51” Compact Soil Renovator;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused Rotadairon 51” Compact Soil Renovator** from the sole source provider Specialized Turf Equipment Company, P.O. Box 609, Sandy Springs, South Carolina, 29677 as proposed by Park Crew Chief, Mark Lubera for an amount not to exceed \$13,920.00 per their quote dated January 5, 2016; this sum will be paid from the Parks, Recreation and Forestry Department’s May 18, 2015 Vehicle and Equipment Acquisition Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, on July 21, 2014, the Town of Lancaster entered into a contact with John W. Danforth Company, for the installation of various energy-related improvements to Town facilities, and

WHEREAS, currently the Youth Bureau, Mental Health Center, Recreation Department, Highway Garage, Town Hall and Senior Center have equipment installed by Danforth that require yearly maintenance be done to ensure they function optimally, and

WHEREAS, Mark Lubera, Parks Crew Chief by letter dated January 21, 2016 has requested that the Town enter into agreements with Danforth to provide general maintenance to the following equipment within those facilities at a cost not to exceed \$10,772.00:

- 1. Rooftop at the Youth Bureau.
- 2. Domestic Waterheater, Aircooled Condensor Unit and VRF Evaporators at Mental Health Center.
- 3. Rooftop and Domestic Waterheater at Recreation Department.
- 4. Rooftop, Water Heater, Gas Boiler and Radiant Unit Heater at Highway Garage.
- 5. VRF Evaporators and Aircooled Condensor Units Rooftop at Town Hall.
- 6. Rooftop at the Senior Center, and

WHEREAS, The Town Board has reviewed the agreements and deems it in the public interest to authorize Danorth to provide maintenance to the beforementioned items within the Town of Lancaster’s facilities;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute each of the six (6) agreements with the John W. Danforth Company to provide necessary maintenance on the beforementioned items within the various Town facilities for a cost not to exceed \$10,772.00, which will be paid for with funds available from the Parks Department’s 2016 Budget line item 01-1620-0411.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Wm. Schutt Associates, P.C., the Town of Lancaster’s consulting engineer, has requested that the Town Board authorize an invitation to re-bid for the 2015 Culvert Lining Project on Forestream Drive and Enchanted Forest South within the Town of Lancaster, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the 2015 Culvert Lining Project on Forestream Drive and Enchanted Forest South, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on March 2, 2016 and opened thereafter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

NOTICE TO BIDDERS

FOR THE

TOWN LANCASTER TOWN HIGHWAY DEPARTMENT 2015 CULVERT LINING PROJECT FORESTREAM DRIVE AND ENCHANTED FOREST SOUTH

Sealed bids for the proposed replacement of the Town of Lancaster 2015 Culvert Lining Project on Forestream Drive and on Enchanted Forest South in the Town of Lancaster will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on March 2, 2016, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the ENGINEER, Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents for the Culvert Replacement Project may be obtained at the office of the ENGINEER upon deposit of \$50.00 per set [two (2) checks of \$25.00 each payable to the ENGINEER]. If requested in writing, the ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the \$50.00 deposit plus a non-refundable mailing charge of \$25.00 per set, made payable to the ENGINEER. Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within the thirty (30) days following the award of the Contract.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:
William Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086-2143
(716) 683-5961
Date: February 4, 2016

By the Order of the Town Board of
Lancaster, Erie County, New York

Diane Terranova
Town Clerk

February 4, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, previously the Town of Lancaster Highway Department had utilized the property located off Daniel Drive (SBL No. 93.07-2-4.12) in the Town of Lancaster for dumping snow and as a turn-around for Town Snow Plows and fire trucks, and

WHEREAS, the property was purchased by Bryan W. and Mary T. Scheible for the construction of their private residence, and

WHEREAS, the Highway Superintendent approached the Scheibles to request that an easement and right of way, at the end of their driveway be granted to the Town for use as a turnaround by Town Highway Plows and Fire Trucks, and for the disposition of snow from Daniel Drive, including rights of ingress and egress and access for persons and vehicles when needed, and

WHEREAS, the Town Board has reviewed the Easement as prepared by attorneys for the Town of Lancaster and deems it in the public’s interest and safety to enter into the Easement.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Easement pursuant to the terms and conditions of the Easement; and authorizes the Supervisor to execute this Easement with Bryan W. and Mary T. Scheible for property located at 20 Daniel Drive (SBL No. 93.07-2-4.12) on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBERB RUFFINO, TO WIT:

WHEREAS, Highway Superintendent, Daniel Amatura, has of the Town of Lancaster, in a letter dated January 25, 2016, has advised the Town Board that the Highway Department no longer has use for a **1990 Electric Eel Sewer Snake, a 1981 Portable Arc Welder Miller Blue Star (Serial# HJ166199), 1981 Homelite 4” Trash Pump (Serial#5431384) and a Walk Behind Blower 8hp Stihl 750 Chop Saw (Serial# 338397757)**; and has requested that the Town Board therefore deem these items to be surplus equipment and permit the Highway Superintendent to offer this equipment at an online auction, and

WHEREAS, the Town Board has given due consideration to the request of the Highway Superintendent and deems it in the public interest to declare the beforementioned equipment to be surplus equipment and permit placement of said items on an online auction;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby declares the beforementioned 1990 Electric Eel Sewer Snake, a 1981 Portable Arc Welder Miller Blue Star (Serial# HJ166199), 1981 Homelite 4” Trash Pump (Serial#5431384) and a Walk Behind Blower 8hp Stihl 750 Chop Saw (Serial# 338397757); to be surplus equipment and authorizes the Highway Superintendent to place said items up for public bid at an online auction with Auctions International, <http://www.auctionsinternational.com>; 11167 Big Tree Road, East Aurora, New York 14052, starting February 4, 2016 and concluding on February 18, 2016, with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has the following equipment as surplus equipment:

A 1990 Electric Eel Sewer Snake, a 1981 Portable Arc Welder Miller Blue Star (Serial# HJ166199), 1981 Homelite 4" Trash Pump (Serial#5431384) and a Walk Behind Blower 8hp Stihl 750 Chop Saw (Serial# 338397757).

This surplus equipment and will be auctioned at an online auction with Auctions International, <http://www.auctionsinternational.com>, 11167 Big Tree Road, East Aurora, New York 14052 beginning February 4, 2016 and concluding on February 18, 2016.

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the equipment.

The surplus equipment may be inspected at the Town of Lancaster Highway Department, 525 Pavement Road, Lancaster, New York by contacting the Highway Department at 683-3426 to make an appointment.

TOWN BOARD
TOWN OF TOWN OF LANCASTER

By: DIANE M. TERRANOVA
TOWN CLERK

February 4, 2016

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, in letters dated December 16, 2015 and January 25, 2016, has advised the Town Board that the following equipment is beyond repair and has requested that the Town Board deem these items to be surplus equipment:

- 1. Spectra-Physics Laserplane 220, Serial# 1726
- 2. 1981 Analyzer, Serial# 850328003
- 3. 2011 Jet Bench Grinder, Serial# 11050497
- 4. Snap-on Scanner, Serial# 032SGA-009240
- 5. Chain Saw 044, Serial# 138473282
- 6. Chain Saw MS290, Serial# 292592890
- 7. Chain Saw MS290, Serial# 292592891
- 8. Weed Wacker FS130, Serial# 267918049, and

WHEREAS, the Highway Superintendent would like to dispose of these items as the Highway Department no longer has use for them, and

WHEREAS, the Town Board has given due consideration to the request of the Highway Superintendent and deems it in the public interest to declare the beforementioned items to be surplus property;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby resolves that the Highway Department Superintendent declare the beforementioned as surplus property and is authorized to dispose of them in a manner in which he sees fit, and, in the event any funds are received for any of these items that those funds are to be turned over to the Supervisor’s Office for deposit into the appropriate account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Intermunicipal Cooperation Agreement, between the Town of Lancaster and the New York State Department of Transportation, as presented, allowing the Lancaster Highway Superintendent and the New York State Department of Transportation Resident Engineer and Regional Director of Operations, to enter into an agreement to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties’ resources; and hereby authorizes the Lancaster Highway Superintendent to execute this agreement which will cover the period of one year.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, Pleasant Meadows Associates, 2730 Transit Road, W. Seneca, New York 14224 has applied to the Town Board of the Town of Lancaster for permits for Private Improvements upon real property in the Town of Lancaster within the Pleasant Meadows Subdivision VII, Central Square Villas Phase V, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the private improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Private Improvement Permit Application Nos. 743, 744 and 745 of Pleasant Meadows Associates, 2730 Transit Road, West Seneca, New York 14224 which are permits for Private Improvements for the installation of:

P.I.P. No. 745 (Pavement & Curb)	Central Square Villas, Phase V on Denton Drive; Installation of 383± LF of 24' wide asphaltic conc. pavement. 8" sub-base No. 2 (NYSDOT 304.02) 4" base type 1 (NYSDOT 403.11) 2" Dense Binder Type 3 (NYSDOT 403.13) 1" top type 7 (NYSDOT 403.18)
P.I.P. No.746 (Storm Sewer)	Central Square Villas, Phase V on Denton Drive; Installation of approx. 131± LF of 15" PHDPE, 168± LF of 12" PHDPE, 110± LF of 8" PHDPE, standard receivers -2 ea. and all necessary 6" roof leaders
P.I.P. No. 747 (Water Line)	Central Square Villas, Phase V on Denton Drive; Installation of approx. 385± LF 8" PVC (C-900), hydrant assemblies – 1 ea. tees, valves, service connections and all other appurtenances for a complete installation.

be and are hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Service Agreement, between the Town of Lancaster and Loomis Armored Us, LLC, as presented, to provide daily armored car service for monies collected by the Town to be delivered to the Town named depository and hereby authorizes the Town Supervisor to execute this agreement which will cover the period of two years; and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Vendor Payment Arrangement, as presented, between J.P. Morgan Chase Bank, N.A. and the Town of Lancaster which allows payments for Loomis Armored Us, LLC, services to the Town of Lancaster be invoiced to and paid for directly through J.P. Morgan Chase Bank, N.A and hereby authorizes the Supervisor to execute this agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

February 1, 2016

COMMUNICATIONS & REPORTS

- 60. Supervising Code Enforcement Officer to Planning Board, Supervisor, Town Board, Town Clerk, General Crew Chief, Engineering Consultant, Highway Superintendent, Police Chief, Assessor and Secretary to the Planning Board – Notice of cancellation of January 20, 2016 Planning Board meeting. Disposition = Received & Filed**
- 61. Erie County Dept. of Environment and Planning to Chief Elected Officials – Public Review of Draft 2016 Annual Action Plan. Disposition = Received & Filed**
- 62. Floyd Schilling to Town Attorney – Comments and concerns regarding proposed law to restrict the discharge of weapons in residential areas. Disposition = Planning Committee & Public Safety Committee**
- 63. Highway Superintendent to Town Board – 2016 Inventory for Town Highway Department. Disposition = Received & Filed**
- 64. Town Clerk to Various News Media – Press release announcing extended hours in the Town Clerk's Office from 9 AM until 6 PM before every Town Board Meeting starting February 1, 2016. Disposition = Received & Filed**
- 65. Twin District Volunteer Fire Co. to Town Clerk – Change in roster. Disposition = Resolution 2/1/16**
- 66. Town Clerk to Town Board – Clerk's Annual Report for 2015. Disposition = Received & Filed**
- 67. Town Attorney to Town Board and Planning Board – SEQR responses from Erie County Division of Sewerage Management, Erie County Dept. Of Public Works and Erie County Dept. of Environment & Planning regarding Hellenic Orthodox Church Worship Center & Banquet Facility, 5994 Genesee St., Proj. #1434. Disposition = Planning Committee**
- 68. Park Crew Chief to Supervisor and Town Board – Request for resolution to award John W. Danforth 6 one-year service agreements for HVAC work done on various town buildings. Disposition = Resolution 2/1/16**
- 69. Park Crew Chief to Supervisor and Town Board – Request for resolution for the purchase of one Rotadairon 51" Compact Soil Renovator. Disposition = Resolution 2/1/16**
- 70. Park Crew Chief to Supervisor and Town Board = Request for resolution to increase Town of Lancaster Recreation Program Fees. Disposition = For Resolution**
- 71. Cheektowaga Town Clerk to Lancaster Town Clerk – Copy of resolution calling for a public hearing to Amend the Zoning Law. Disposition = Received & Filed**
- 72. Alden Town Clerk to Lancaster Town Clerk – Copy of resolution supporting the termination of the current 1977 Sales Tax Revenue Distribution Agreement and the creation of a new formula for sales tax revenue distribution. Disposition = Received & Filed**
- 73. Waste Management to Supervisor – 2016 disposal price increase. Disposition = Director of Finance**
- 74. Waste Management to Supervisor – 2016 price increase. Disposition = Director of Finance**

- 75. Highway Superintendent to Supervisor and Town Board –
Request for Town Board to deem certain equipment surplus equipment so
the equipment can be put in an online auction. Disposition = Resolution 2/1/16**
- 76. Youth Bureau Executive Director to Supervisor --
Request for Town of Lancaster Youth Board appointments.
Disposition = Resolution 2/1/16**
- 77. Rev. Paul Steller, St. Mary of the Assumption Church to Supervisor –
Request for use of the Westwood Park Indoor Pavilion for Easter Sunday Sunrise
Mass on Sunday, March 27, 2016 from 5:45 AM to 8:00 AM.
Disposition = Park Crew Chief**
- 78. Supervisor to Rev. Paul Steller, St. Mary's of the Assumption –
Permission to use the Westwood Park Pavilion for Easter Mass on Sunday,
March 27, 2016 from 5:45 AM to 8:00 AM. Disposition = Park Crew Chief**
- 79. Village of Lancaster to Town Board –
Minutes from regular meeting held on December 14, 2015.
Disposition = Received & Filed**
- 80. Highway Superintendent to Town Engineer –
List of contractors to be contacted when requesting bids for Enchanted Forest and
Forestream Culvert Lining Projects. Disposition = Received & Filed**
- 81. Executive Director Youth Bureau to Supervisor and Town Board –
Recommend hiring one individual as a regular part-time tutor for the Lancaster
Youth Bureau effective February 1, 2016. Disposition = Resolution 2/1/16**
- 82. Town Clerk to Various News Media –
Press release announcing additional hours for collection of Town and County taxes.
Disposition = Received & Filed**
- 83. John B. Smith, Federal Energy Regulatory Commission to Supervisor –
Overdue Progress Report for Niagara Community Hydro Project.
Disposition = Received & Filed**
- 84. Planning Board Chairman to Town Clerk –
Planning Board Agenda for February 3, 2016 meeting.
Disposition = Planning Committee**
- 85. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned at
8:46 P.M.

Signed_____

Diane M. Terranova, Town Clerk